

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DEBRA BAREFIELD,) Case No.: 1:21-cv-0613- NONE JLT
Plaintiff,)
v.) ORDER DIRECTING THE CLERK OF COURT
HSBC MORTGAGE SERVICES, INC., et al.,) TO CLOSE THIS ACTION AS TO
Defendants.) DEFENDANT HSBC MORTGAGE SERVICES,
) INC., AND TO UPDATE THE DOCKET
) (Doc. 54)
)
)

Plaintiff filed a Notice of Dismissal, indicating she “dismissed Defendant HSBC Mortgage Services, Inc., as a party defendant to this action without prejudice.” (Doc. 54 at 1, emphasis omitted.) Pursuant to Rule 41(a)(1)(A) of the Federal Rules of Procedure, “the plaintiff may dismiss an action without a court order by filing ... a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment.” Because the defendant had not appeared or filed an answer, the claims against HSBC Mortgage Services, Inc. were automatically terminated. *Id.* Accordingly, the Clerk of Court is **DIRECTED** to close this action only as to Defendant HSBC Mortgage Services, Inc., and update the docket.

IT IS SO ORDERED.

Dated: October 29, 2021

/s/ Jennifer L. Thurston
CHIEF UNITED STATES MAGISTRATE JUDGE